

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION STUDENT-
ATHLETE CONCUSSION INJURY
LITIGATION**

) **MDL No. 2492**
)
) **Master Docket No. 1:13-cv-09116**
) **This Document Relates to All Cases**
)
) **Judge John Z. Lee**
)
) **Magistrate Judge Geraldine Soat Brown**
)

**MOTION OF THE NCAA FOR LEAVE
TO FILE DOCUMENTS UNDER SEAL**

The National Collegiate Athletic Association (“NCAA”), by and through its attorneys, hereby moves the Court for leave to file documents under seal and in support of this motion states as follows:

1. With this motion, the NCAA is also filing its response to the November 5, 2015 Objection of Adrian Arrington (“Mr. Arrington”).
2. Exhibit B to the NCAA’s response to Mr. Arrington’s November 5, 2015 Objection contains testimony from Mr. Arrington’s March 14, 2013 deposition in which Mr. Arrington discusses information that has been designated Confidential Protected Health Information pursuant to the Arrington Stipulated Qualified HIPAA Protective Order (Arrington Dkt. #56). The Arrington Stipulated Qualified HIPAA Protective Order provides, in turn, that documents designated as Confidential Protected Health Information shall be treated as “Confidential Information” in accordance with the Arrington Agreed Confidentiality Order dated March 7, 2012 (Arrington Dkt. #57).

3. In addition, the NCAA's response to Mr. Arrington's November 5, 2015 Objection quotes Mr. Arrington's discussion of Confidential Protected Health Information from Exhibit B.

4. Pursuant to Case Management Order No. 1 (Dkt. #15), the Agreed Confidentiality Order in Arrington remains in full force and effect and is applicable to all cases consolidated in this multidistrict litigation.

5. Where possible, the NCAA has simultaneously filed public-record versions of the documents with the Confidential Information redacted. See Agreed Confidentiality Order at ¶ 7(b) (Arrington Dkt. #57) (requiring the electronic filing of "a public-record version of the document with the Confidential Information excluded").

6. Accordingly, pursuant to Paragraph 7 of the Agreed Confidentiality Order (Arrington Dkt. #57) in Arrington, the NCAA respectfully requests leave to file under seal unredacted copies of the NCAA's response to Mr. Arrington's November 5, 2015 Objection and Exhibit B attached thereto.

WHEREFORE, the NCAA respectfully requests that the Court grant this motion for leave.

Dated: November 16, 2015

Respectfully submitted,

/s/ Mark S. Mester

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CERTIFICATE OF SERVICE

I, Mark S. Mester, certify that on November 16, 2015, a true and correct copy of the MOTION OF THE NCAA FOR LEAVE TO FILE DOCUMENTS UNDER SEAL was filed through the ECF system and served upon the following parties by prepaid first class mail.

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